

August 6, 2015  
Sterling Board of Health Meeting  
Butterick Municipal Building, Room 205  
1 Park Street, Sterling, MA 01564

Board Members      Allen Hoffman, Chair  
Donna Clark  
Gary Menin

BOH Agent            David Favreau

6:30pm              Chair, Allen Hoffman, called the meeting to order.

Roll Call:      Board Members      Allen Hoffman, Donna Clark, Gary Menin  
BOH Agent            David Favreau  
Admin Asst            Kathleen Nickerson

Attendees:            Sandra Malpass, Fred Malpass, Jim Reisch, Chris Knuth, John Remming, Tom Remming

Gary Menin noted that he was recording the proceedings as an individual and that they would be available on the cloud for those who are interested.

**Minutes:** July 9, 2015. Due to the number of over- lapping comments it was decided to prepare one more draft for review at a subsequent meeting.

### **BOH Agent Report**

**48 Lake Shore Drive:** T5 Report indicated “needs further evaluation” and as such conditionally passed. The further evaluation is required due to the abutting property well being 79’ instead of 100’. Required water quality testing was accomplished with satisfactory results. The variance was granted but Board members (Menin/Hoffman) want it noted in the next revision of the Town Well Bylaws that all such affected wells (i.e. those less than 100’ but greater than 50’ of any Septic SAS) need to have ongoing water quality testing

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**46 Beaman Road:** T5 failed. Soil testing will be done on the property.

**Rabies Clinic:** Oct 3 at VCA/Sterling Veterinary Clinic. Second clinic for the year.

**Flu Clinic:** Scheduled for Wednesday 9/9/2015.

**Bat Rowley Hill Road:** Tested negative for rabies.

**Opioid Deaths:** Statistic being reported by MPH. A comprehensive response plan is being prepared by MPH with recommendations to be completed by April 2016.

**MPH Meeting update:** Allen Hoffman will be attending the 8/27/2015 Meeting with David Favreau.

**Public Session:** No individuals attended.

### **Appointments:**

**38 Wilder Road Variance Request:** Chris Knuth representing homeowners. Reduce the minimum separation distance from high groundwater and the SAS as required in 310CMR 15.212(1) from 4' TO 3' as required by Sterling's Subsurface Disposal Regulations IV(f). In addition to reduce the offset distance between the SAS and a tributary, from 200' required to 105' proposed. Noted that the house is on Town Water. It was approved with the condition that the plumbing be changed in order to put the tank in front and that the old system be abandoned. The owners, Mr. & Mrs. Malpass, had no objections. Donna Clark made the motion to approve with the conditions stated; Gary Menin second; all in favor.

**70-72 Chace Hill Road Variance Request:** Chris Knuth representing homeowners: Distance to a water body or wetland – requesting a reduction in the offset between the soils absorption system (SAS) and a wetland bordering a seasonal brook (not a tributary). 100' is required, 71' is proposed.

Minimum required area for a leaching field – We are also requesting a reduction in the size of the leaching field. 1,000 S.F. is required, 756 S.F. is proposed (sand filter bed).

Meets T5 but doesn't meet Sterling Bylaws. Donna Clark made a motion to approve the variance; Allen Hoffman seconded; all in favor.

**MOU 7/9/2015 with MPH:** Additional changes added by Mike Szlosek. The MPH representative is expected to abide by all of Sterling's local bylaws. Items 1-4 and 1-2 were previously approved. Item 5 (State Law) and Item 3 ethics training were added by Mike Szlosek.

Discussion also around soil evaluation. When soil evaluation is required, the soil evaluator must be separately contracted by the applicant. The T5 inspector cannot perform that task on a T5 inspection per state code, 310 CMR 15.018.(1)

Motion to approve the MOU as amended by Donna Clark; second Allen Hoffman; all in favor with the exception of Gary Menin. In this regard Mr. Menin cited the following section of Title 5:

310 CMR 405: “The Approving Authority may reduce the required four foot separation (in soils with a recorded *percolation rate of more than two minutes per inch*) or the required five foot separation (in soils with a recorded percolation rate of two minutes or less per inch) between the bottom of the soil absorption system and the high groundwater elevation only if all of the following conditions are met:

1. An approved Soil Evaluator who is a member or agent of the local Approving Authority determines the high groundwater elevation.”

This indicates, in Gary Menin’s opinion, that a Soil Certified Agent can indeed determine high groundwater elevation. It is noted that the citation Mr. Menin is referring to only applies to the granting of upgrade approvals (variances).

**Warrant Article for Special Town Meeting:** Requesting an Administrative Assistant for the BOH to take Meeting Minutes and back up Kathleen Nickerson as necessary. The amount of additional money would be \$500 to be added to the BOH Salary Account. Motion made by Gary Menin; second Allen Hoffman; all in favor.

**Beach Closing:** Discussion ensued as to better communication when there is a planned treatment event at the Lake. In this case, Diquat was added to Lake Waushacum and the beach needed to be closed. Adequate time wasn’t communicated to other departments, such as the Rec Department, to close the beach appropriately. This has been discussed with other departments for future execution.

**Future Agenda Items:**

Nursing Facility Waste Treatment Plant: Gary would like a site visit.

New Well: Money was allotted in 2014. Allen asked David to find out the status.

**7:50pm Adjourned:** Motion Gary Menin; Second Donna Clark; all in favor.